

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Panchayats – Nidamanuru Gram Panchayat – Representation filed by Sri B. Balaiah, Sarpanch (Removed), Nidamanuru Village and Mandal, Nalgonda District – against Proceedings of the District Collector (PW), Nalgonda District - Disallowed - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O. Rt. No. 1548

**Date: 29-10-2009.
Read the following:**

1. From the Dist. Collector, Nalgonda Dist., Procds. No.1746/07-B1(Pts), Dated 07-03-2008.
2. G.O. Rt. No. 1950, PR & RD (Pts,II) Deptt., dt. 29-12-08.
3. Writ Petition Nos. 646 and 77 filed by Sri B. Balaiah, Sarpanch (Removed), Nidamanuru Village and Mandal, Nalgonda District, dated.15.8.2009.
4. Representation received from Sri B. Balaiah, Sarpanch(Removed), Nidamanuru Village and Mandal, Nalgonda District, Dt.24.8.2009.
5. Govt. Telegram No. 17213/Pts.II/A1/2009-2, dt 09-09-2009.
6. From the District Collector (PW), Nalgonda District Lr.No.1746/07-B1(Pts), Dated 11.9.2009.

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ORDER:

In the reference 1st read above, the District Collector (PW), Nalgonda District has removed Sri B. Balaiah, Sarpanch, Nidamanuru Village and Mandal, Nalgonda District from the Post of Sarpanch U/s 265(1) of Andhra Pradesh Panchayat Raj Act, 1994 for misuse of powers and misappropriation of Gram Panchayat funds.

2. In the reference 2nd read above Government after detailed examination of the case in consultation with the District Collector (PW), Nalgonda and after hearing the case has confirmed the orders of the District Collector (PW), Nalgonda District.

3. Aggrieved by the said orders, in the reference 3rd read above Sri B. Balaiah, Sarpanch (Removed) filed a Writ Petition in A.P. High Court requesting to set aside the orders passed by the District Collector (PW), Nalgonda District. The Hon'ble High Court has directed to reconsider the issue after perusing the entire records and make an order in accordance with law.

4. In the reference 4th read above, the petitioner while enclosing High Court orders has requested the Government to examine the case and reinstate him as Sarpanch.

5. In the reference 6th read above, the District Panchayat Officer, Nalgonda has reported that actually a recovery orders have been issued to the Sarpanch, Nidamanuru Gram Panchayat for an amount of Rs.3,31,782/- after conducting the re-enquiry by the Divisional Panchayat Officer, Miryalguda as per the instructions of the Ex- Hon'ble Minister and it is noticed that the Sarpanch has misappropriated an amount of Rs.83, 269/- towards purchase of electrical goods as shown in item No.1 of allegations and misappropriation of Rs.56,780/- towards water supply material as shown in item No.11 and the total misappropriation amount has arrived to Rs.1,40,490/-. Which only needs to be recovered from the removed Sarpanch.

6. The case was heard on 01-10-09. The Ex-Sarpanch and the District Panchayat Officer (I/c), Nalgonda District were attended the hearing and during the hearing it has observed that there is gross violation of rules and regulations by the ex-Sarpanch in procuring the electrical and water supply materials. There is no assessment in regard to the requirement of materials. Without financial sanction by the Gram Panchayat, the Sarpanch has purchased the materials and payments made in cash which is against rules. The Sarpanch has also failed to hand over the vouchers / bills to the Panchayat for the purchase of audit and inspection. It is evident that some of the bills / vouchers have not been handed over to the Panchayat till the date of hearing. It is established that the Ex-Sarpanch has misappropriated temporarily the Panchayat funds by drawn an amount of Rs.86,858/- in March 2007 for clearing the

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drainage canals and incurred an expenditure of Rs.44,540/-. The balance amount of Rs.42,318/- was with him for 8 months and he remitted the balance amount in Feb.2008. Even the work done by incurring Rs.44,540/- was not got recorded in the M.Books and which is objectionable. Similarly, an amount of Rs.20,000/- drawn by the Ex-Sarpanch from SJRY funds on 20.9.2006 was not utilized for the purpose it was drawn and kept the amount with him. The amount was remitted to Panchayat on 20.2.2008 i.e. after about 16 months. Both the above instances reveals that the Ex-Sarpanch has misappropriated the funds to a tune of Rs.62,318/-. The Ex-Sarpanch has pleaded that he is an uneducated and not conversant with the rules and procedures of Panchayat administration. This plea cannot be accepted since there is a Panchayat Secretary in the Panchayat whose advice he could have sought.

7. The Government after careful examination of the matter and based on the available material in the records, there is no sufficient grounds found to interfere with the orders of the District Collector (PW), Nalgonda dated 7-03-08 and the representation filed by Sri B. Balaiah, Sarpanch (Removed), Nidamanur Village and Mandal, Nalgonda District is hereby rejected.

8. The District Collector (PW), Nalgonda District shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH

**M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The District Collector (PW), Nalgonda District.
The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.
The District Panchayat Officer, Nalgonda District.

Copy to:

Sri B. Balaiah, Sarpanch (Removed), Nidamanur Village and Mandal,
Nalgonda District
O.S.D to M(PR)
Sf/Sc.

// FORWARDED:: BY ORDER//

SECTION OFFICER